

419148

KOBAYASHI, SUGITA & GODA

Lex R. Smith 3485-0

Thomas H. Yee 7344-0

999 Bishop Street, Suite 2600

Honolulu, Hawaii 96813

Telephone No. (808) 539-8700

Facsimile No. (808) 539-8799

Email: lrs@ksglaw.com

Counsel for Defendants

C&S Logistics of Hawaii, LLC,

C&S Wholesale Grocers, Inc.,

C&S Acquisitions, LLC,

ES3, LLC and Richard Cohen

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF HAWAII

WAYNE BERRY, a Hawaii citizen;

Plaintiff,

vs.

HAWAIIAN EXPRESS SERVICE,  
INC., et al.,

Defendants.

) CIVIL NO. CV03-00385 SOM-LEK

) (Copyright)

)

) DEFENDANTS C&S LOGISTICS OF

) HAWAII, LLC, C&S WHOLESALE

) GROCERS, INC., C&S

) ACQUISITIONS, LLC, ES3, LLC AND

) RICHARD COHEN'S MOTION TO

) COMPEL WAYNE BERRY TO

) COMPLY WITH ORDER FOR

) JUDGMENT DEBTOR

) EXAMINATION; DECLARATION OF

) LEX R. SMITH; EXHIBITS "A"

) THROUGH "D"; CERTIFICATE OF

) SERVICE

)

)

)

)

---

DEFENDANTS C&S LOGISTICS OF HAWAII, LLC, C&S  
WHOLESALE GROCERS, INC., C&S ACQUISITIONS, LLC, ES3, LLC  
AND RICHARD COHEN'S MOTION TO COMPEL WAYNE BERRY TO  
COMPLY WITH ORDER FOR JUDGMENT DEBTOR EXAMINATION

Defendants C&S Logistics of Hawaii, LLC, C&S Wholesale Grocers,  
Inc., C&S Acquisitions, LLC, ES3, LLC and Richard Cohen , move this  
Court, for an order compelling Wayne Berry to attend his judgment debtor  
examination set for June 28, 2007.

This motion is based on Fed. R. Civ. P. 5(b)(1), the Declaration and  
Exhibits attached hereto and the record and file herein.

DATED: Honolulu, Hawaii, June 15, 2007.

KOBAYASHI, SUGITA & GODA /s/ Thomas H. Yee

---

BERT T. KOBAYASHI, JR.  
LEX R. SMITH  
THOMAS H. YEE  
Counsel for Defendants  
C&S Logistics of Hawaii, LLC,  
C&S Wholesale Grocers, Inc.,  
C&S Acquisitions, LLC,  
ES3, LLC and Richard Cohen